

**REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejection of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

**I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 1-11 are currently pending. Claims 1, 4 and 6 are independent. Claims 1-8 are hereby amended. Claims 9-11 are newly added. No new matter has been introduced. Support for this amendment is provided throughout the Specification as originally filed, and specifically at pages 15et. seq. Changes to the claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled. Furthermore, Applicants have also amended the Title and the Abstract to the present invention.

**II. REJECTIONS UNDER 35 U.S.C. §102(b) and §103(a)**

Claims 1-8 were rejected under 35 U.S.C. §102(b) as allegedly anticipated by United States Patent No. 5,450,253 to Seki et al (hereafter merely “Seki”). The Examiner contended that Seki anticipated claims 1, 2, 4, 6 and 7; and that Seki, when combined with United States Patent No. 6,307,822 to Shim et al (hereafter merely “Shim”), rendered claims 3, 5 and 8 obvious.

Claim 1 recites, *inter alia*:

“A playback apparatus for extracting a playback signal from a recording medium without performing tracking control, said playback apparatus comprising:

....  
phase-locked loop means responsive to said playback signal to control said adaptive equalizing circuit when phase lock with said playback signal is performed.” (emphasis added)

As understood by Applicants, Seki relates to a regenerative signal from a magnetic head being compensated by a filter that serves as an equalizer. The regenerative signal thus compensated is then decoded at a decoder. An adaptive control unit adjusts (modifies) the characteristic of the filter on the basis of a decode error (residual) at the decoder and an input to the filter. A servo control unit sends a servo lock signal to the adaptive control unit when a servo control operation at the time of reproduction is stabilized to start an automatic adjustment operation of the filter characteristic. Thus, it is possible to prevent an undesirable effect on a compensating operation of the equalizer in that an adaptive adjustment operation of the filter characteristic might be carried out at the time when the servo control operation is unstable, e.g. the time of building up of a reproducing operation.

Applicants respectfully submit that Seki does not disclose or suggest phase-locked loop means responsive to the playback signal to control the adaptive equalizing circuit when phase lock with the playback signal is performed, as recited in claim 1.

Therefore, Applicants submit that claim 1 is not anticipated by Seki.

As understood by Applicants, Shim relates to a data reproduction apparatus for an optical disc system. An analog-to-digital converter (ADC) for sampling an input RF signal and outputting the sampled result is provided. An adder for adding the sampled signal and an

asymmetry correction signal produces an added signal. A blank/defect detector generates a blank detection signal if no change in data is detected from the added signal during a predetermined interval of time. A correction signal generator calculates a digital sum value (DSV) from the received added signal, generates an asymmetry correction signal based on the calculated DSV, and outputs the generated asymmetry correction signal to the adder. A waveform equalizer is provided for waveform-equalizing the added signal. A decoder decodes the waveform-equalized signal. The correction signal corrector temporarily stops a DSV calculation operation with respect to the interval of the corresponding added signal, if the blank detection signal is output. Thus, an asymmetry of the RF signal is corrected to enhance quality of the reproduced data.

Furthermore, in Shim, the waveform equalizer uses the clock signal produced by the phase locked loop 15 and synchronized with the RF signal (Fig. 1). Similarly, in Fig. 2 of Shim, PLL 23 generates the clock signal PLCK that is supplied to the ADC 21 and other circuits. As can be seen, in Shim, the PLL merely generates a clock signal -- the PLL does not control the waveform equalizer, nor does it control the changing of coefficients.

Applicants respectfully submit that the combination of Seki and Shim does not disclose or suggest phase-locked loop means responsive to the playback signal to control the adaptive equalizing circuit when phase lock with the playback signal is performed, as recited in dependent claims 3, 5 and 8.

Therefore, Applicants submit that claim 3, 5 and 8 are patentable over Seki and a combination of Seki and Shim.

For reasons similar to those described above with regard to independent claim 1, independent claims 4 and 6 are also believed to be patentable.

### III. DEPENDENT CLAIMS

Claims 2 and 7 are dependent from claims 1 and 6, respectively, and are therefore believed patentable for at least the same reasons discussed above. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

### CONCLUSION

Claims 1-11 are in condition for allowance. In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, it is respectfully requested that the Examiner specifically indicate those portions of the reference providing the basis for a contrary view.

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In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

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